

UNITED STATES DEPARTMENT OF JUSTICE
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:	:	Chapter 11
	:	
Alexandre Dacosta and	:	Case No. 22-18303(JKS)
Viviane Antunes, <i>et al.</i> ³ ,	:	(Jointly Administered)
	:	
Debtors.	:	Hearing Date: Sept. 26, 2023 at 10:00 AM
	:	

DECLARATION OF DANIEL C. KROPIEWNICKI

I, Daniel C. Kropiewnicki, of full age, hereby declare under penalty of perjury,
pursuant to 28 U.S.C. § 1746, as follows:

1. I am a Bankruptcy Analyst for the Office of the United States Trustee and have
full knowledge of the facts set forth herein.

2. On October 6, 2022, (the “Corporate Petition Date”), BAV Auto LLC (the
“Corporate Debtor”) filed a voluntary petition for relief under Chapter 11 of the Bankruptcy
Code under case number 22-17933(JKS) (the “Corporate Case”). *See* ECF No. 1 of the

³ The jointly administered Debtors are Alexandre Dacosta and Vivianne Antunes, having SSNs with the last four digits of 2325 and 0411, respectively, and BAV Auto, L.L.C., having a TIN with the last four digits 7479.

Corporate Case. To date, the Corporate Debtor remains in possession of its property and management of its affairs as a debtor-in-possession.

3. October 19, 2022, (the “Individuals Petition Date”), Alexandre J. Dacosta and Vivianne C. Antunes (the “Individual Debtors”) (the Corporate Debtor and the Individual Debtors collectively referred to herein as the “Related Debtors”) filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code under case number 22-18303(JKS) (the “Individuals Case”). *See* ECF No. 1 of the Individuals Case. On December 20, 2022, the Court entered an Order which converted the Individuals Case to a chapter 11 proceeding, and further recognized the Individual Debtors choosing to proceed under subchapter V of the Bankruptcy Code. *See* ECF No. 40 of the Individuals Case.

4. On February 13, 2023, the Court entered the *Order Directing Joint Administration of Chapter 11 Cases of BAV Auto, LLC and Alexandre Dacosta & Vivianne Antunes* (the “Joint Administration Order”). *See* ECF No. 81 of the Individuals Case.

5. On April 3, 2023, the Related Debtors filed the *Jointly Administered Small Business Debtors’ Second Modified Joint Plan of Reorganization* (the “Second Modified Plan”). *See* ECF No. 105 of the Individuals Case.

6. A review of the docket of the Individual Case, as of this date, indicates that (i) on February 24, 2023 the Corporate Debtor filed monthly operating reports for the months October 2022, November 2022, and December 2022 (the “October BAV MOR”, “November BAV MOR”, and “December BAV MOR”, respectively) (ECF Nos. 84, 85, and 86, respectively), and (ii) on March 2, 2023 the Corporate Debtor filed a monthly operating report for the month of January 2023 (the “January BAV MOR”) (ECF No. 88 of the Individuals Case), and that (iii) the

Corporate Debtor has not filed any monthly operating report for the months of February 2023 through July 2023 (inclusive).

I certify under penalty of perjury that the forgoing is true and correct to the best of my knowledge.

By: /s/ Daniel C. Kropiewnicki
Daniel C. Kropiewnicki
Bankruptcy Analyst

Dated: August 25, 2023